

CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

4 MAY 1973

Mr. Wilfred H. Rommel
Assistant Director for
Legislative Reference
Office of Management and Budget
Washington, D. C. 20503


Dear Mr. Rommel:

Enclosed is a proposed report to Chairman Ervin, Committee on Government Operations, in response to a request for our views and recommendations on S. 942, a bill "To transfer and reorganize all existing law enforcement functions of the Federal Government related to trafficking in narcotics and dangerous drugs in a Division of Narcotics and Dangerous Drugs established in the Federal Bureau of Investigation."

Advice is requested as to whether there is any objection to the submission of this report from the standpoint of the Administration's program.

STATINTL

Sincerely,



John M. Maury
Legislative Counsel

Enclosure

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United States Senate

COMMITTEE ON
GOVERNMENT OPERATIONS
WASHINGTON, D.C. 20510

Executive Registry

73-2161

March 5, 1973

Director
Central Intelligence Agency
Washington, D. C. 20505

Re: S. 942

Dear Mr. Schlesinger:

Attached is a copy of a bill which has been referred to this committee for consideration.

It will be helpful if you will give the committee the benefit of your views regarding the provisions of this bill, and your recommendations as to committee action.

Please transmit your reply in quadruplicate.

Thanking you for your cooperation, I am

Sincerely yours,

Sam J. Ervin, Jr.

Sam J. Ervin, Jr.
Chairman

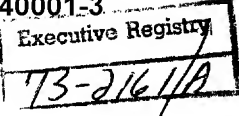
Enclosure



CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

OFFICE OF THE DIRECTOR



The Honorable Sam J. Ervin, Jr., Chairman
Committee on Government Operations
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

This is in reply to your request of March 5, 1973, for our views and recommendations concerning S. 942, a bill "To transfer and reorganize all existing law enforcement functions of the Federal Government related to trafficking in narcotics and dangerous drugs in a Division of Narcotics and Dangerous Drugs established in the Federal Bureau of Investigation."

S. 942 and Reorganization Plan No. 2 of 1973, which the President transmitted to the Congress on March 28, principally involve law enforcement functions, which are beyond the purview of the Central Intelligence Agency. In this respect, section 102(d)(3) of the National Security Act of 1947 (50 USCA 403) provides "...the Agency shall have no police, subpoena, law-enforcement powers, or internal-security functions...."

The Agency's current role in the Government-wide effort to combat the drug problem is to provide foreign intelligence on sources and trafficking in illicit drugs. Under the Reorganization Plan, the Agency will continue to look to the President's Cabinet Committee on International Narcotics Control for policy guidance and direction.

S. 942 abolishes the Cabinet Committee (section 5(d)) and establishes a Policy Committee on Narcotics and Dangerous Drugs. Section 13 provides that the President may appoint members to the

Policy Committee from all departments and agencies having functions related to trafficking in narcotics and dangerous drugs. S. 942 further provides (section 10) that: "The President, after consultation with the Attorney General, shall direct the Director of Central Intelligence with respect to all of the Director's functions related to trafficking in narcotics and dangerous drugs."

In summary, both Reorganization Plan No. 2 of 1973 and S. 942 provide a basis for the continuation of this Agency's current role in the Government-wide effort to combat the drug problem.

The Office of Management and Budget advises that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

/s/ James R. Schlesinger

James R. Schlesinger
Director

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Legislative Counsel

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OLC 73-0193A

DATE

30 April 1973

TO: (Officer designation, room number, and building)

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OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

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Director

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OLC

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Attached for your signature is a suggested reply to a request from the Senate Government Operations Committee for our views on S. 942. This bill and the President's Reorganization Plan No. 2 of 1973 centralize the drug law enforcement activities in Government. Under either plan, CIA would continue to receive its guidance and direction from the President. The letter has been coordinated with DDO, OGC, DDI, and DDM&S. When you have signed it we will submit it to ^{STATINTL} OMB for clearance.

Acting Legislative Counsel

Att.

DO NOT DATE LETTER